

Downtown Revitalization Committee

Special Meeting Minutes

Monday, January 9, 2012

5:30 p.m.

Newington Town Hall, Conference Room L-101

- I. **Roll Call:** Chairman McBride, Mr. Castelle, Mrs. Cohen, Mr. Marocchini, Mr. Shields, Mr. Bottalico.

Others Present: Town Manager John Salomone, Town Engineer Chris Greenlaw and Gary Fontanella of Milone & MacBroom.

II. **Market Square Streetscape Project**

A. **Project Costs and Compliance with Contract Provision**

- Mr. Greenlaw began with a general overview of the topics of discussion for the special meeting. The Committee had requested a tabulation of completed contract items, change orders, discussion of project timeline and contractual provisions such as liquidated damages.
- Mr. Fontanella (Milone & MacBroom) presented the committee members with an excel spreadsheet that documented the project cost, inspection costs and recommended liquidated damages. A detail account summary was provided demonstrating the contractors estimated construction costs at 12-23-11 and a projection of final cost anticipated for April 2012.

B. **Project Costs**

- Mr. Fontanella noted first that Nunes bid was approximately \$13,000 less than the estimate. A discussion of "construction costs" and "change orders" followed with an explanation of how actual costs for items installed in the field vary from the estimate. Currently, the contract item costs indicate a substantial perceived savings (+/- 100,000) when compared to the original bid contract items.

C. **Inspection Fees**

- Mr. Fontanella noted that the original inspection fee of \$64,000 (original estimate) had been exhausted in November. He indicated that there are additional costs associated with inspecting the contractor's work that was done past the contract timeline. He provided an estimated cost to cover remaining operations in the spring. All total inspection fees are anticipated to exceed the original by approximately \$46,000.

D. **Liquidated Damages**

- Mr. Fontanella noted that per contract, liquidated damages can be assessed at \$1000/day. Additionally, there existed no winter shutdown provision. He recommends that the liquidated damages be assessed for the days the contractor worked past the contract target date for substantial completion (November 28, 2011). Therefore, the days derived were: 1 in November, 23 for days worked in December and 24 for anticipated days needed in April. He recommended only 5 days credit for the winter storm in October 2011. All totaled, the project (upon completion) would cost the Town of Newington (without assessing liquidated damages) approximately \$1,066,583, therefore still representing a perceived savings of approximately \$82,000, as compared to original MMI estimate.

The Committee discussed the topic of liquidated damages and commented that cost overruns associated with the extension of time should be assessed to the contractor but ultimately it is the Town Manager's decision. The Town Manager acknowledged and commented that he would consult further with the Town Engineer and MMI to derive an appropriate cost for reimbursement.

Mrs. Cohen offered that another councilor had questioned the location of the utility poles as they relate to the new pavers (walkway). Chairman McBride informed the Committee that the Town Engineer (w/ Zoning Officer) had field verified that the walkway allows adequate passage. Mr. Bottalico stated that the poles were never moved nor was it ever the intent of the design. John Salomone added that the walk is actually bigger (wider), although the design elements (different colored pavers) suggest

a potential conflict, i.e. aesthetic problem. General discussion ensued with the consensus being not to relocate the utilities in question.

- The topic of the project cost and timeline was revisited. It was decided that liquidated damages, winter operations and establishing a final project timeline would be at the discretion of the Town Manager.
The Commission reviewed the list of approved and pending change orders. It was decided to have the Town Manager review and approve future change orders under \$5k.
- Mr. Shields offered a discussion on organizing the street parking by means of striping. He questioned the number of spaces lost due to the handicap access walks and cobbled bump-outs. He requested the orientation of the new street signs be adjusted accordingly.
- Chairman McBride questioned the snow removal operations. The Town Engineer said a letter had been drafted outlining the maintenance responsibilities (owners), and the appropriate “means and methods” to safely remove snow (protect pavers) and recommend de-icers to use for the pavers. Additionally, it was reported that the highway superintendent visited the site in preparation for snow removal of the roadway.

III. Adjournment

Mr. Marocchini made a motion to adjourn. Mrs. Cohen second. Meeting was adjourned at 6:47 p.m.

Submitted,

Christopher Greenlaw, P.E.
Town Engineer

Town Clerk
Town Website